

IN THE UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF WEST VIRGINIA  
AT BECKLEY

UNITED STATES OF AMERICA

v.

CASE NO.: 5:23-cr-134-001

STEVEN NICHOLAS WIMMER,

Defendant.

**MOTION TO CONTINUE SENTENCING HEARING  
AND ANY ASSOCIATED DEADLINES**

COMES Now Defendant Steven Nicholas Wimmer, by counsel, and moves this Court to continue his sentencing date, currently scheduled for June 20, 2024. In support thereof, Defendant states as follows:

- 1) On November 2, 2023, Mr. Wimmer entered a guilty plea to a single-count information charging him with Conspiracy to Violate Civil Rights, in violation of 18 U.S.C. §241.
- 2) As part of his written plea agreement, Mr. Wimmer agreed to cooperate with the Government in its cases against other correctional officers at the Southern Regional Jail, which form the basis of Mr. Wimmer's case.
- 3) It appears that the six other former correctional officers and colleagues of Mr. Wimmer are scheduled to go to trial in July, 2024 and that Mr. Wimmer will be called as a witness by the Government.
- 4) The nature of Mr. Wimmer's anticipated testimony and the extent of his cooperation will have a material bearing on this Court's sentencing analysis, justifying a continuance of his sentencing hearing.

- 5) Mr. Wimmer was released on a \$10,000.00 unsecured bond on November 2, 2023 and since that time, he has been fully compliant with all the terms and conditions imposed by this Court.
- 6) Counsel for Defendant has discussed this matter with the Assistant United States Attorney involved and is authorized to state that she has no objection to the relief sought.

WHEREFORE, in light of the foregoing, Defendant Steven Nicholas Wimmer respectfully moves this Court to continue his sentencing hearing until after July, 2024, as well as any relevant deadlines.

STEVEN NICHOLAS WIMMER,  
By Counsel,

/s/ Ward Morgan  
Ward Morgan, Attorney at Law  
3217 Cumberland Road  
Bluefield, West Virginia 24701  
(304) 323-2250  
State Bar ID: 5814

**CERTIFICATE OF SERVICE**

I, Ward Morgan, counsel for Defendant, do hereby certify that I have served a true copy of the foregoing "**Motion to Continue Sentencing Hearing and any Associated Deadlines**" upon Christine Siscaretti, Deputy Chief of Operations, Criminal Section, Civil Rights Division. U.S. Department of Justice, via CM/ECF delivery, on this the 17<sup>th</sup> day of June, 2024.

/s/ Ward Morgan  
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Ward Morgan, Attorney at Law  
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